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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/065,970

12/05/2002

Rizaldy Buencamino Mata

126995

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11/16/2004

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EXAMINER

DUONG, HUNG V

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,970

Applicant(s)

MATA ET AL.

Examiner

Hung v Duong

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-31 is/are allowed.
- 6) ☒ Claim(s) 1,2,6-10 and 14-16 is/are rejected.
- 7) ☒ Claim(s) 3-5, 11-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

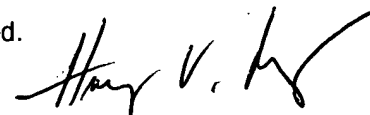
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



HUNG VAN DUONG
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 9-10, 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Doherty et al. (US Pat. 6,567,277).

Regarding claims 9-10, 14-16, Doherty et al disclose a monitoring device 10 comprising: a housing 11; a cable 16 secured to the housing 11 and having a portion extending from the housing; and means 26 for releasably securing the portion extending from the housing to the housing wherein the means for releasably securing includes a channel 26 disposed in the housing 11; the channel receiving the portion extending from

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the housing 11 wherein the cable 16 is received in the channel 26 in press-fit fashion wherein in the cable 16 includes a resilient material forming an outer surface thereon, the resilient material being compressed by a side of the channel 26 to secure the cable 16 within the channel 26. A detent formed on a side of the channel 26, the detent releasably retaining the cable 16 in the channel 26.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,6-8 rejected under 35 U.S.C. 103(a) as being unpatentable over Doherty et al. (US Pat. 6,567,277) in view of Al-Ali (US2003/0181798).

4. Regarding claims 1-2, 6-8; Doherty et al disclose all the subject matter of the claimed invention except for a sensing device movable relative to the housing, a display screen disposed in the housing. However Al-Ali discloses a sensing device movable relative to the housing, a display screen disposed in the housing (see Al-Ali's figure 1). Therefore, it would be obvious to one of ordinary skill to modify a sensing device movable relative to the housing, a display screen disposed in the housing of Al-Ali into Doherty et al 's monitoring device in order to provide a convenient communication adapter.

Allowable Subject Matter

5. Claims 3-5, 11-13, objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 17-31 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that extending a cable to reduce an outside diameter of the cable to less than a width of a channel formed in the monitoring device or that a display screen disposed in the housing, the display screen being configured to display a graphical representation of a condition monitored by the sensing device.

Response to Amendment

7. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

None.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (571) 272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956

HVD

11/09/04

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a stylized flourish at the end.

Hung Duong
Primary Examiner